

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on February 3, 2015 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor Hearing Room.

BOARD MEMBERS PRESENT: Gerald Bosak, Jr., Embalmer
Frank W. Carmon, IV, Embalmer
Darrell L. McClam, Embalmer
Agnes Pier

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Gary Griffin, Department of Public Health
Jeffrey A. Kardys, Board Liaison
Alfreda Gaither, Hearing Officer

The meeting convened at 9:49 a. m.

I. PENDING LITIGATION

CHRISTOPHER PANNESE v STATE OF CONNECTICUT; STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH; CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS, ET AL.

Mr. Carmon made a motion, seconded by Ms. Pier, to enter executive session to discuss pending litigation, with Assistant Attorney General Henry Salton and Assistant Attorney General Kerry Colson, in which Board members have been named as defendants. The motion passed unanimously and the Board entered executive session from 9:50 a.m. until 10:05 a.m. No motions were made and no votes were taken during executive session.

II. OPEN FORUM

Mr. Carmon was welcomed to his first meeting as a member of the Board.

The Board expressed thanks to former Chairman Daniel Jowdy for his years of dedicated service on the Board.

III. MINUTES

The December 2, 2014 minutes were reviewed, edited and approved on a motion by Mr. McClam, seconded by Ms. Pier.

IV. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are five cases involving funeral homes currently in various stages of investigation by the Department. One additional case of potential unlicensed delivery of funeral services is also being investigated.

V. NEW BUSINESS

A. Memorandum of Decision -Leonard Holtz, Embalmer – Petition No. 2010-5371

Mr. McClam made a motion, seconded by Ms. Pier to adopt the Memorandum of Decision in this matter. The motion passed with all in favor except Mr. Carmon who abstained. Mr. Bosak signed the Order dismissing the charges against Mr. Holtz.

B. Alfredo Camargo (Apprentice) - Request for waiver

Mr. Camargo was present to request from the Board a waiver, pursuant to § 20-211-17, to allow him to work full time with the Office of the Chief Medical Examiner in addition to working full time as an apprentice. Mr. Camargo is not currently working as an apprentice with a funeral home. Mr. Carmon made a motion, seconded by Mr. McClam, that Mr. Camargo's request be tabled to until such time that he has identified a funeral home at which to complete his apprenticeship. The motion passed unanimously.

C. Burial Permits - Issuance Problems

Jane Purtill, Registrar Vital Records, Department of Public Health and Lisa Kessler, Staff Attorney, Office of Vital Records were present to discuss the issuance of burial permits by sub-registrars.

The Office of Vital Records will send reminders to town clerks that they need to appoint at least two sub-registrars for their towns.

The Office of Vital Records will also look into posting on the Vital Records web-site a listing of registrars and sub-registrars for all Connecticut cities and towns.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:35 a.m. on a motion by Ms. Pier, seconded by Mr. McClam.

Respectfully submitted,

Gerald Bosak, Jr
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on April 2, 2015 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor Hearing Room.

BOARD MEMBERS PRESENT: Darrell L. McClam, Embalmer - Chairman
Gerald Bosak, Jr., Embalmer – *via telephone*
Frank W. Carmon, IV, Embalmer

BOARD MEMBERS ABSENT: Agnes Pier

ALSO PRESENT: Gary Griffin, Department of Public Health
Jeffrey A. Kardys, Board Liaison
Alfreda Gaither, Hearing Officer

The meeting convened at 9:30 a. m.

I. OPEN FORUM

Mr. Carmon made a motion, seconded by Mr. Bosak, to allow former chairman Daniel Jowdy to continue his services as an examiner for embalmer practical examinations. The motion passed with all in favor.

Licensure applicant James Sweatman addressed the Board regarding his application for licensure as an embalmer in Connecticut. Stephen Carragher, Public Health Services Manager, DPH informed the Board as to qualifications for licensure in Connecticut. Since the Board does not have jurisdiction regarding the issuance of licenses, the Board did not take any action regarding Mr. Sweatman's application. Mr. Sweatman was advised to discuss his concerns with Mr. Carragher

Discussion of licensure requirements with the will be added to the June 2, 2015 agenda.

II. MINUTES

The February 3, 2015 minutes were reviewed and approved on a motion by Mr. Bosak, seconded by Mr. Carmon.

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are eight cases currently in various stages of investigation by the Department.

IV. OFFICE OF LICENSURE REGULATION AND COMPLIANCE

A. Funk Funeral Home – Petition No. 2011-1224

Diane Wilan, Staff Attorney, DPH presented a Consent Order in this matter. Respondent was not present or represented.

Mr. Bosak made a motion, seconded by Mr. Carmon, to approve the Consent Order. The motion passed unanimously. Mr. McClam signed the Order which imposes a reprimand, and a \$1000.00 civil penalty.

B. Keith Phalen – Petition No. 2014-507

Ellen Shanley, Staff Attorney, DPH presented a Consent Order in this matter. Respondent was not present or represented.

Mr. Carmon made a motion, seconded by Mr. Bosak, to approve the Consent Order. The motion passed unanimously. Mr. McClam signed the Order which imposes a reprimand, a \$1000.00 civil penalty and a period of probation.

V. **ADJOURNMENT**

There was no further business and the meeting was adjourned at 10:15 a.m. on a motion by Mr. Bosak, seconded by Mr. Carmon.

Respectfully submitted,

Darrell L. McClam - Chairman
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on June 2, 2015 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor Hearing Room.

BOARD MEMBERS PRESENT: Darrell L. McClam, Embalmer - Chairman
Gerald Bosak, Jr., Embalmer – *via telephone*
Frank W. Carmon, IV, Embalmer
Agnes Pier

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Gary Griffin, Department of Public Health
Jeffrey A. Kardys, Board Liaison
Alfreda Gaither, Hearing Officer

The meeting convened at 9:32 a. m.

I. EXECUTIVE SESSIONS - PENDING LITIGATION

CHRISTOPHER PANNESI v STATE OF CONNECTICUT; STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH; CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS, ET AL.

Mr. Bosak made a motion, seconded by Mr. Carmon, to enter executive session to discuss pending litigation, with Assistant Attorney General Kerry Colson, in which Board members have been named as defendants. The motion passed unanimously and the Board entered executive session from 9:33 a.m. until 9:59 a.m. No motions were made and no votes were taken during executive session.

II. MINUTES

The April 2, 2015 minutes were reviewed and approved on a motion by Mr. Bosak, seconded by Mr. Carmon.

III. NEW BUSINESS

A. Licensure requirements for Funeral Directors and Embalmers

Christian Andresen, Section Chief, DPH Practitioner Licensing and Investigations and Stephen Carragher, Public Health Services Manager, DPH Office of Practitioner Licensing and Certification were present for this discussion.

It was explained that since 1963, student embalmers and student funeral directors have been required to pass the National Board Examination developed and administered by the International Conference of Funeral Service Examining Boards. The DPH requested that the Board consent to the continued use of this examination.

Mr. Bosak made a motion, seconded by Ms. Pier, that the Board consent to and reaffirm that the National Board Examination is and has been 1963 the examination which student embalmers and student funeral directors must successfully complete as one of the prerequisites for licensure pursuant to General Statutes §§ 20-213 and 20-217. The Motion passed unanimously.

Mr. Bosak made a motion, seconded by Mr. Carmon, that the current educational requirements for licensure as an embalmer or a funeral director remain unchanged. The motion passed unanimously. The requirements are: Completion of an associate's degree in mortuary science from an educational institution accredited by the American Board of Funeral Service Education. Applicants who have earned only a diploma in mortuary science from an educational institution accredited by the American Board of Funeral Service Education must also hold a baccalaureate degree from a regionally accredited institution of higher education. The baccalaureate degree program must include a minimum of 6 semester hours or 9 trimester hours in the following content areas related to funeral service: business management, accounting, finance, merchandising, business law, computer applications, ethics, counseling, and psychology.

B. License Reinstatement Review – Neville de la Rosa, License #002475

An application for license reinstatement for Neville de la Rosa was presented by Frank Manna, Office of Practitioner Licensing and Certification.

Mr. Carmon Made a motion, seconded by Ms. Pier, to recommend reinstatement of Mr. de la Rosa's license. The motion passed unanimously.

C. Alfredo Camargo (Apprentice)

Mr. Camargo was present regarding his request for a waiver to engage in full time employment in addition to full employment as an apprentice embalmer.

Ms. Pier made a motion, seconded by Mr. Carmon, to grant Mr. Camargo's request. The motion passed unanimously.

D. Schedule Hearing date

The hearing in the matters of Andre F. Baker, Jr., Embalmer - Petition No. 2012-490 and Baker Funeral Services, Inc. - Petition No. 2012-491 will be scheduled for September 3, 2015 at 10:30 a.m. following the regularly scheduled Board meeting.

IV. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are ten cases currently in various stages of investigation by the Department.

V. OPEN FORUM

Monique Hetzler, Embalmer Apprentice, addressed the Board concerning her difficulties finding full time apprentice work.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:15 a.m. on a motion by Mr. Bosak, seconded by Mr. Carmon.

Respectfully submitted,

Darrell L. McClam - Chairman
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on December 1, 2015 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor Hearing Room.

BOARD MEMBERS PRESENT: Darrell L. McClam, Embalmer - Chairman
Gerald Bosak, Jr., Embalmer
Frank W. Carmon, IV, Embalmer
Agnes Pier

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Gary Griffin, Department of Public Health
Jeffrey A. Kardys, Board Liaison
Alfreda Gaither, Hearing Officer

The meeting convened at 9:30 a. m.

I. EXECUTIVE SESSION - PENDING LITIGATION

CHRISTOPHER PANNESE v STATE OF CONNECTICUT; STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH; CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS, ET AL.

Mr. Bosak made a motion, seconded by Mr. Carmon, to enter executive session to discuss pending litigation, with Assistant Attorney General Kerry Colson, in which Board members have been named as defendants. The motion passed unanimously and the Board entered executive session from 9:31 a.m. until 9:36 a.m. No motions were made and no votes were taken during executive session.

Following executive session Mr. Bosak made a motion, seconded by Mr. McClam, that the Board accept a settlement recommended by Attorney Colson. The motion passed unanimously.

II. MINUTES

The June 2, 2015 minutes were reviewed and approved on a motion by Mr. Carmon, seconded by Mr. Bosak.

III. NEW BUSINESS

A. License Reinstatement Review – Robert Wallace, License #001992

An application for license reinstatement for Robert Wallace was presented by Frank Manna, Office of Practitioner Licensing and Certification.

Ms. Pier made a motion, seconded by Mr. Carmon, to recommend reinstatement of Mr. Wallace's license. The motion passed unanimously.

B. Schedule Meeting Dates for 2016

The following meeting dates have been scheduled for 2016:

February 4, 2016

April 12, 2016

June 2, 2016

September 13, 2016

November 10, 2016

All meetings will be scheduled for 9:30 a.m., at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut.

IV. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that two cases were dismissed since the June 2015 meeting and five new cases were opened. There are thirteen cases currently in various stages of investigation by the Department.

V. OFFICE OF LICENSURE REGULATION AND COMPLIANCE

Scott DeMarco – Petition No. 2012-1025

All State Cremation and Funeral Care, LLC – Petition No. 2012-1026

Matthew Antonetti, Principal Attorney, DPH presented Consent Orders in the referenced matters. Neither respondent nor his attorney was present.

Ms. Pier made a motion, seconded by Mr. Bosak, to approve the Consent Orders. The motion failed. Following discussion the Board unanimously voted to reject the Consent Orders as written.

Ms. Pier made a motion, seconded by Mr. Bosak, recommending that in addition to the reprimand and six month probation the proposed Consent Order for Mr. DeMarco be modified such that the required coursework include a course pertaining to the rules and regulations established by Federal Trade Commission (FTC) relating to funeral goods and services and that the civil penalty be increased to \$5000.00; and that in addition to the reprimand, the proposed Consent Order for All State Cremation and Funeral Care be modified by increasing the civil penalty to \$5000.00. The motion passed unanimously.

A hearing regarding the Statement of Charges in these matters will be scheduled for February 4, 2016 in the event a Consent Order is not adopted.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:10 a.m. on a motion by Mr. Bosak, seconded by Ms. Pier.

Respectfully submitted,

Darrell L. McClam - Chairman
Board of Examiners of Embalmers and Funeral Directors